

REMARKS

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested. Specifically, favorable consideration of pending Claims 1-45 is respectfully requested.

THE OBJECTION TO CLAIM 36

Claim 36 has been amended to correct the informality cited on page 2 of the Office Action. In particular, the ending semi-colon has been properly replaced by a period. Favorable consideration and the withdrawal of the objection are requested.

THE REJECTION UNDER 35 U.S.C. §102(e)

Claims 1-5, 8-26, 34-36, and 38-45 were rejected under 35 U.S.C. §102(e) as being anticipated by Katz et al. (U.S. Patent 6,356,971; hereafter "Katz"). The Applicant respectfully traverses this rejection, and further requests that this rejection be reconsidered and withdrawn.

The system for managing multimedia discs, tracks, and files on a computer described by Katz manages the CD inventory corresponding for a multi-disc changer as well as the playlist inventory for the CDs in the changer. However, in view of the requirements for a rejection under 35 U.S.C. §102 set forth in MPEP §2131, including *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987), which states "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," it

is respectfully submitted that Katz does not anticipate the presently rejected claims.

Claim 1, for example, recites a method comprising:

maintaining meta data associated with a plurality of pieces of content stored on a plurality of pieces of media;

maintaining meta data associated with another plurality of pieces of content, wherein each of the other plurality of pieces of content corresponds to one of the plurality of pieces of content and is another version of the data in the corresponding one of the plurality of pieces of content; and

altering the meta data associated with one of the other plurality of pieces of content in response to the meta data associated with the corresponding one of the plurality of pieces of content being altered.

Katz's description lacks, at least, any teaching of the portion of Claim 1, above, that is underlined. Nowhere does Katz describe maintaining meta data for content corresponding to another set of corresponding content, as claimed.

Rather, the cited portion at col. 10, lines 31-39 of Katz describes CD directory database 255 having a directory tree corresponding to a CD removed therefrom when that CD is removed from disc changer device 120. The further cited portion at col. 9, lines 28-60 describes constructing persistent playlists corresponding to CDs that are no longer loaded in disc changer device 120. However, the description lacks any teaching of such persistent playlists corresponding to another version of the tracks corresponding to the absent CDs.

With regard to the above claimed "altering the meta data...," at col. 4, lines 62-64 Katz describes updating CD directory database 255, which lists the

CDs loaded to disc changer device 120. That is, the reference does not teach altering meta data associated with any of the tracks of the CDs.

Thus, for at least the above reasons, Claim 1 and corresponding dependent **Claims 2-5 and 8** are distinguishable over Katz.

Claim 9 recites one or more computer-readable media causing one or more processors to perform the following:

receiving an identification of a change to be made to meta data corresponding to a particular piece of content on a particular piece of media;

changing, based on the identification, meta data corresponding to the particular piece of content;

identifying one or more other pieces of content associated with the particular piece of content

changing, based on the identification, meta data corresponding to the one or more other pieces of content.

In particular, Katz does not teach or suggest the underlined portions of Claim 9, above. Nowhere in the reference, including the portions cited in the rejection, does Katz describe one or more other pieces of content associated with a previously identified piece of content, much less the claimed changing of meta data of the one or more other pieces of content associated with the previously identified content. Thus, for at least the reason set forth above, Claim 9 and corresponding dependent **Claims 10-16** are distinguishable over Katz.

With regard to **Claims 17** and corresponding dependent **Claim 18**, none of CD database 230, playlist database 240, or collections database 250 described beginning at col. 4, line 50, or CD directory database 255 described in col. 10 teach the claimed local storage device. In particular, none of the databases described by Katz is configured to "store another plurality of pieces of content, wherein each of the other plurality of pieces of content corresponds to one of the

plurality of pieces of content and is another version of the data in the corresponding one of the plurality of pieces of content," as recited in Claim 17. Accordingly, Katz does not even contemplate the meta data management module, recited in Claim 17, which is, "configured to alter meta data associated with one of the other plurality of pieces of content in response to meta data associated with the corresponding one of the plurality of pieces of content being altered." Therefore, for at least the reasons provided above, Claims 17 and 18 are distinguishable over Katz.

With regard to computer-readable media **Claim 19** and corresponding dependent **Claim 20**, it is respectfully submitted that Katz fails to teach, at least, the instructions for "accessing a local meta data store to identify meta data corresponding to the tracks and associated with another disc," or "generating a new storage structure, corresponding to the disc, and including the identified meta data." Nowhere in the reference, including the portions cited in the rejection, does Katz describe tracks associated with another disc, much less the claimed generating a new storage structure and including the identified meta data. Thus, for at least the reason set forth above, **Claim 19** and corresponding dependent **Claim 20** are distinguishable over Katz.

The method of Claim 21 comprises:

receiving a notification of a new piece of media, wherein the new piece of media includes a plurality of pieces of content that are selected by a user for inclusion on the new piece of media, and wherein the user selection is based on one or more other pieces of content associated with one or more other pieces of media;

generating a media identifier corresponding to the new piece of media;

identifying, from a meta data store, meta data corresponding to the plurality of pieces of content and associated with the one or more other pieces of content; and

saving, as meta data corresponding to the new piece of media, the identified meta data.

Katz does not teach, or even suggest, pieces of content associated with a new piece of media as well as one or more other pieces of media. Rather, Katz only describes tracks associated with respective CDs, regardless of whether the CD is loaded into a disc changer device. There, for at least the reason set forth above, Claim 21 and corresponding dependent **Claims 22-26** are distinguishable over Katz.

Whereas the collections database 250, described at col. 9, lines 43-47 of Katz, describes objects containing pointers to files stored on CDs loaded on disc changer device 120 or other storage devices of computer 110, Claim 34 comprises a set of entries and another set of entries identifying relationships between selected ones of the objects identified in the set with selected others of the objects. To even suggest the above recitation in Claim 34, Katz would have to contemplate any of the files stored on CDs on disc changer device being related to files stored on the other storage devices of computer 110. Tellingly, the reference is silent in that regard, and therefore Katz fails to anticipate Claim 34 and corresponding dependent **Claims 35-37**.

Further, **Claim 38** and corresponding dependent **Claims 38-45** are distinguishable over Katz, which, as argued previously, lacks any teaching of data corresponding to more than one version of the tracks corresponding to the CDs. Thus, for example, Katz fails to anticipate, "identifying a file associated

with the content track, wherein the file stores a different version of the data in the content track," as recited in Claim 38.

Accordingly, for at least the reasons set forth above, it is respectfully submitted that Katz does not anticipate the rejected claims, and therefore the rejection under 35 U.S.C. §102(e) should be withdrawn.

THE REJECTION UNDER 35 U.S.C. §103(a)

Claims 6, 7, 27-33, and 37 were rejected under 35 U.S.C. §103(a) as being unpatentable over Katz in view of Bergman et al. (U.S. Patent 6,564,263; hereafter "Bergman"). The Applicant respectfully traverses this rejection as well, and further requests that this rejection also be rejected and withdrawn.

The InfoPyramid described at col. 6, line 42 – col. 7, line 62 of Bergman describes multiple modalities of multimedia content, but there is no description of the relationships between disc identifiers, children objects corresponding to one of plural pieces of content, and addition objects corresponding to one of other plural pieces of content, as recited in Claim 27. Rather, Bergman describes the varying formats and fidelities corresponding to the respective modalities, and is silent with regards to the subject matter of Claim 27. Thus, independent **Claim 27** and corresponding dependent **Claims 28-33** are distinguishable over Katz and Bergman.

Claim 6 depends from **Claim 1**, and is therefore distinguishable over Katz for the reasons set forth above regarding **Claim 1**. Further, Bergman does not compensate for the deficiencies of Katz, relative to **Claim 1**, nor is such assertion made in the rejection.

Further still, similar to the arguments provided above regarding Claim 27, the InfoPyramid described at col. 6, line 42 – col. 7, line 62 of Bergman describes multiple modalities of multimedia content, but there is no description of the relationships between disc identifiers, children objects corresponding to one of plural pieces of content, and addition objects corresponding to one of other plural pieces of content, as recited in Claim 6. Rather, Bergman describes the varying formats and fidelities corresponding to the respective modalities, and is silent with regards to the subject matter of Claim 6. It is further submitted that the same cited portion of the reference fails to teach the claimed relationships of Claim 37.

For at least the reasons provided above, it is respectfully submitted that the rejected claims would not have been obvious to one of ordinary skill in view of the proposed combination of references. Therefore, it is requested that the outstanding rejection under 35 U.S.C. §103(a) be withdrawn.

CONCLUSION

The remaining references of record have been considered. It is respectfully submitted that they do not compensate for the deficiencies of any of the references utilized in rejecting the pending claims.

All objections and rejections having been addressed, it is respectfully submitted that the present application is now in condition for allowance. Early and forthright issuance of a Notice of Allowability is respectfully requested.

Respectfully Submitted,

Lee & Hayes, PLLC

Dated: 10/21/03


David S. Lee (Reg. No. 38,222) f.s.
David S. Lee
Reg. No. 38,222
(425) 844-0791

Lee & Hayes, PLLC
421 W. Riverside Avenue, Suite 500
Spokane, WA 99201

RECEIVED
CENTRAL FAX CENTER
OCT 22 2003

OFFICIAL